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C O N F I D E N T I A L SECTION 01 OF 04 LAGOS 000388

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STATE FOR AF/W  
STATE FOR INR/AA  
STATE PASS OPIC FOR ZHAN AND MSTUCKART  
DOE FOR CAROLYN GAY  
WARSAW FOR LISA PIASCIK  
CIUDAD JUAREZ FOR DONNA BLAIR  
ISTANBUL FOR TASHAWNA SMITH  
SAO PAULO FOR ANDREW WITHERSPOON

E.O. 12958: DECL: 05/18/2017

TAGS: PGOV KDEM NI

SUBJECT: WITH EVIDENT FRUSTRATION, OYO STATE OPPOSITION  
PREPARES FOR THE ELECTION TRIBUNAL

REF: LAGOS 264

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Classified By: Consul Alan B. C. Latimer for reasons 1.4 (B) and (D)

¶1. (C) Summary: During a May 9 visit by Poloff to Ibadan, interlocutors expressed their consternation over how the recent elections were conducted while the opposition discussed their support for the electoral tribunals. All Nigeria People's Party (ANPP) gubernatorial candidate Abiola Ajimobi planned to present a case of gross malfeasance in the conduct of the elections. One contact predicted a collision of forces if the tribunals produce an unfavorable result for the opposition. As evidenced by the recent dispute over the local elections, Governor-elect Adebayo Alao-Akala and his patron Lamidi Adedibu continue to resort to violence to ensure that Adedibu's grip on the politics of Oyo State remains secure. End summary.

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Southwest Elections Have Few Surprises,  
And Pose a Bleak Future for the Opposition  
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¶2. (C) Poloff visited Ibadan on May 9. Adeolu Durotoye, political science lecturer at the University of Ibadan, analyzed the widespread violence and vote manipulation in the Southwest. The election turned out as predicted though not as we hoped, a visibly frustrated Durotoye said. In the Southwest, Lagos State Governor Bola Tinubu and President Obasanjo competed to establish a base of allied governors in the Southwest, and Obasanjo charged the atmosphere when he termed it a "do or die" election. While the populace voted in heavy numbers for a change in government, this effort was subverted by the Independent National Electoral Commission (INEC) and the security forces. These actions were orchestrated by the ruling People's Democratic Party (PDP). If you define democracy as granting the populace the choice to change administrations, then there is no democracy in

Nigeria, Durotoye contended. Durotoye defended the low voter turnout, arguing that after the gubernatorial elections showed the futility of voting, the only reason to vote was for symbolic purposes, as it was otherwise a superfluous gesture.

¶3. (C) Unlike more optimistic observers, Durotoye saw little hope for improvement, and he argued that if the courts allowed the results to stand, the 2011 election would be even worse. If the state and local elections had been allowed to reflect the voters' desires, even with Yar'Adua winning a rigged presidential election the result would have been acceptable to many Nigerians. Of the presidential candidates, Yar'Adua was still the best choice for President, averred Durotoye. Muhammadu Buhari was seen by many as a Northern fundamentalist who did not even bother to campaign in much of the Southwest, visiting only Lagos and Ibadan. Although now would be a propitious time for Yar'Adua to reach out to the opposition, the lopsided election results left the opposition in little mood to accept overtures, Durotoye contended.

¶4. (C) Lam Adesina, former Governor of Oyo State and an influential Action Congress (AC) patron, told Poloff the 2007 election was the worst he had ever witnessed, and he forecast that Nigeria was progressing toward a one-party state. Adesina complained he had not gone to prison during the Abacha regime to endure this subterfuge. Adesina dismissed the concept of a unity government, and predicted the AC would go to court and dispute all the results. There is "no need for a unity government based on tricks," he said.

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Predictions for Yar'Adua's Future and  
Obasanjo's Place in History  
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¶5. (C) Durotoye found it indicative that Yar'Adua joined the progressive party instead of his father's establishment party, and he claimed the radical leftist northerner lecturer Bola Usman as his mentor. Yar'Adua would be an independent thinker and not the stooge others have predicted, and would probably push Obasanjo out to pasture once he consolidated power. Durotoye did find it interesting while Yar'Adua's supporters touted the Governor's efforts in education, according to the rankings Katsina finished last among all Nigeria's states in educational achievement. (Comment: These comments are best characterized as speculative. Yar'Adua is largely unknown to the Southwest. End comment)

¶6. (C) History would see Obasanjo as a corrupt politician who actively thwarted the rule of law, Durotoye noted. Durotoye said that Obasanjo's greatest accomplishment was to not allow former military ruler Ibrahim Babangida to return to power. A Babangida redux, Durotoye argued, would have been a catastrophe for Nigeria.

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Opposition Turns to the Election Tribunals  
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¶7. (C) In the aftermath of the elections, the political attention now turned to the election tribunals. In one of the surprises of the election, less than a week before the election Governor Rashidi Ladoja swung his support to ANPP candidate Senator Abiola Ajimobi and was responsible for his strong showing, said Wale Ojo-Lanre, Chairman of the Oyo State Nigerian Union of Journalists. Ojo-Lanre said Ladoja's support was enough to ensure Ajimobi won Ibadan, but questionable votes from Akala's home town of Ogbomosho and elsewhere gave People's Democratic Party (PDP) candidate Adebayo Alao-Akala the INEC-certified victory. Ojo-Lanre predicted the opposition would need to produce witnesses from Ogbomosho who would say they had registered and processed a

card but did not vote, and then match the names of these witnesses to the lists of voters who actually voted. Akala's patron Lamidi Adedibu shifted the Divisional Police Officers (DPOs) to Akala's favor, and created a spectacle of soldiers surrounding the Adedibu home on election day, not to keep him from getting involved in rigging but for his own protection, Ojo-Lanre said.

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**Ajimobi Captures Fraud on Video**  
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**¶18.** (C) Opposition candidate Ajimobi described an election fraught with malpractices, some of which his party had captured on video and planned to present to the tribunal. Ajimobi declared he could prove to the tribunal voting did not take place, as his party agents never signed the papers verifying the results. Ajimobi's legal team had requested INEC to turn over the ballot papers, which they wanted to scan to discover the same thumb prints on numerous ballots, proving electoral fraud.

**¶19.** (C) Ajimobi would concentrate much of his case on the election process in Ogbomosho, which despite having only 15 percent of all registered voters provided half of Akala's votes. In Ogbomosho, Ajimobi said the PDP, with the active support of the police and military, took away all the ballot boxes and thumb printed them for Akala, preventing even the traditional ruler of Ogbomosho from voting. Ajimobi planned to introduce a parade of Ogbomosho citizens ready to testify to the electoral fraud and violence, which he said claimed the life of one of his supporters.

**¶10.** (C) Ajimobi's second legal argument was that Akala's candidacy was ineligible because of his indictment for corruption by an Oyo State administrative panel commissioned

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by Ladoja. This panel was similar to the body which indicted the AC gubernatorial candidate in Adamawa State, an indictment which INEC accepted as grounds for disqualification. If the tribunal judged Akala disqualified, there was no need to run a new election, and Ajimobi would ask the tribunal to decide the election in his favor.

**¶11.** (C) Ajimobi expressed confidence the judiciary service commission and the Chief Justice would choose independent-minded commission members, but was less certain about the safety of the tribunal, scheduled for Ibadan. Ajimobi predicted the PDP would recruit thugs to intimidate the proceedings, and he suggested the presence of international observers would better ensure the tribunal's safety.

**¶12.** (C) In his analysis, Durotoye predicted some of the more autonomous members of the election tribunals would want to assert their independence and overturn certain election results, though others would likely be cowed into acquiescence. One of the key factors would be the admissibility of evidence, Durotoye contended.

**¶13.** (C) Traditional Ruler Prince Adesiyan called the election tribunal currently underway in his state "the last hope for the masses". Adesiyan said Ajimobi had presented the tribunal with overwhelming evidence of a clear cut win in Oyo State's three most populous local government areas (LGAs). Adesiyan claimed from sources close to the proceedings that the tribunal would issue a ruling on the case after the May 29 inauguration. Failures by the election tribunals to overturn the blatantly fraudulent results in Oyo, Ondo, Ekiti, Osun, Edo and Delta States, Adesiyan opined, would spell the death knell for the incoming President and Vice-President. Within three months, widespread civil unrest will lead to a request to a reluctant military to take control, he predicted. (Comment: This prediction should be taken as the speculative comment it is. However, this

postulate has been expressed by others unfriendly to the incoming administration, and is at least indicative of the consternation felt in the opposition. End comment)

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Ladoja-Adedibu Feud Extends  
To the Local Government Elections  
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¶14. (U) Despite the looming tribunals, Adedibu has recently been preoccupied with consolidating his power. Ladoja, wanting to hold local government elections prior to his departure, had originally scheduled them for May 12, which Akala and Adedibu had been attempting to thwart in the courts. On May 10, a group of thugs attacked personnel and destroyed the election materials of the Oyo State Independent Election Commission (OYSIEC), the body in charge of local government elections. Adedibu is widely believed to be behind the attack on the OYSIEC headquarters. On May 11, the Ibadan High Court agreed to delay the election, but Ladoja, undeterred by these setbacks, scheduled the election for May 24 and OYSIEC proceeded to conduct them amid reports of electoral violence and at least ten fatalities.

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Comment  
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¶15. (C) With the lopsided election results leaving little room for compromise, the opposition in Oyo is facing a situation similar to that of many other states. In the upcoming tribunals, the opposition will have to present sufficient evidence to convince the courts to overturn the elections, and then will somehow have to find a way to make the tribunal's decision stand. Given his history in Oyo politics, Adedibu will likely do whatever he can to prevent

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such a decision. With so much at stake, violence may occur, perpetrated less by the opposition but more likely by Adedibu and Akala, especially if they sense this will ensure Akala's victory at the election tribunal. End comment.

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